

R E S O L U T I O N

WHEREAS, Central Property Group LLC is the owner of a 1.14-acre parcel of land known as Lots 11, 12, and 13 of Randolph Village in Plat Book BB 6 page 94 in 1939, and Lot 28 of Randolph Village in Plat Book WWW 22 page 66 in 1953, said property being in the 13th Election District of Prince George's County, Maryland, and being zoned Local Transit Oriented (LTO-E); Commercial, General, and Office (CGO); and Military Installation Overlay (MIO); and

WHEREAS, on October 14, 2022, Central Property Group LLC filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-22042 for Advance Auto Parts was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on December 15, 2022; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 24-1900 of the Prince George's County Subdivision Regulations, subdivision applications submitted before April 1, 2024 may be reviewed and decided in accordance with the prior Subdivision Regulations; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on December 15, 2022, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plan of Subdivision 4-22042, including a Variation from Section 24-121(a)(3), for one parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised, as follows:
  - a. Revise General Note 1 on the coversheet to indicate that Lots 11, 12, and 13 are shown in Plat Book 6 page 94. Revise General Note 1 on Sheet C-201 to include Lot 13.

- b. Remove Title Note 13 on Sheet C-201 regarding the voided 25-foot platted setback.
  - c. On Sheets C-201 and C-301, remove the “PB. BB 6 PG. 94” label previously associated with the voided 25-foot platted setback.
  - d. Revise General Note 9 on the coversheet to show the road dedication as 0.034 acre, in order to match the precision of the other acreage figures in the general notes.
2. Development of this site shall be in conformance with Stormwater Management Concept Plan 24072-2021-0, and any subsequent revisions.
3. Prior to approval, the final plat of subdivision shall include:
  - a. The granting of public utility easements along the public rights-of-way.
  - b. Dedication of public right-of-way, in accordance with the approved preliminary plan of subdivision.
  - c. A note reflecting the granting of a variation, with the preliminary plan of subdivision, from Section 24-121(a)(3) of the Prince George’s County Subdivision Regulations, to allow two direct access driveways to MD 214 (Central Avenue).
4. The building permit plans shall show, and the applicant and the applicant’s heirs, successors, and/or assignees shall construct, two right-in/right-out access driveways along MD 214 (Central Avenue), along the property’s frontage, subject to approval of and modifications by the Maryland State Highway Administration, with written correspondence.
5. Prior to acceptance of a detailed site plan, the applicant and the applicant’s heirs, successors, and/or assignees shall include in the bicycle and pedestrian plan required by Certificate of Adequacy ADQ-2022-029 the details, location, and extent of a marked bicycle lane along the frontage of MD 214 (Central Avenue), subject to modification by the Maryland State Highway Administration, with written correspondence. If such correspondence indicates that the bicycle lane will not be permitted, a bicycle lane shall not be shown on the bicycle and pedestrian plan.
6. No less than 35 days prior to the Prince George’s County Planning Board hearing for the detailed site plan, the applicant shall provide concurrence from the Maryland State Highway Administration for the design and location of the two proposed access driveways.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George’s County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George’s County Code and the Land Use Article of the Annotated Code of Maryland.

2. **Background**—The property is located at the northwest corner of the intersection of MD 214 (Central Avenue) and Norair Avenue. The property is recorded in Prince George’s County Land Records as Lots 11, 12, and 13 of Randolph Village in Plat Book BB 6 page 94 in 1939, and Lot 28 of Randolph Village in Plat Book WWW 22 page 66 in 1953. It is noted that parts of the property were dedicated to the public right-of-way (ROW), subsequent to the plat recording, however, such conveyances are exempt from preliminary plan of subdivision (PPS) and final plat. The property measures 1.14 gross acres, of which 0.93 acre is located in the edge area of the Local Transit Oriented (LTO-E) Zone and 0.21 acre is located in the Commercial, General, and Office (CGO) Zone. The entire property is also subject to the Military Installation Overlay (MIO) Zone for height. However, this PPS has been submitted for review under the prior Prince George’s County Zoning Ordinance and Subdivision Regulations, pursuant to Section 24-1900 of the Subdivision Regulations. Under the prior Zoning Ordinance, the property is subject to the standards of the Mixed-Use Infill (M-U-I) Zone, the Military Installation Overlay (M-I-O) Zone, and the Development District Overlay (D-D-O) Zone which applied to this property prior to April 1, 2022. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (master plan) is applicable to this development.

The subject PPS consolidates the property into one parcel for 6,889 square feet of commercial development. The property is currently vacant, and there are no previous PPS which apply to the property. A PPS is required, pursuant to Section 24-111(c) of the prior Subdivision Regulations, because the development consists of more than 5,000 square feet of nonresidential gross floor area. In accordance with Section 24-1904(c) of the Subdivision Regulations, this PPS is supported by and subject to approved Certificate of Adequacy ADQ-2022-029.

The applicant filed a request for a variation from Section 24-121(a)(3) of the prior Subdivision Regulations, in order to allow two direct access driveways to MD 214, an arterial roadway. Section 24-121(a)(3) requires that, when lots are adjacent to an arterial street, they be designed to front on an internal street or service road. The request is discussed further in the Transportation finding of this resolution.

3. **Setting**—The subject site is located on Tax Map 67 in Grid B-4 and is within Planning Area 72. West of the property are various uses, including an office building and a gas station, in the LTO-E Zone (formerly in the Commercial Office and Commercial Miscellaneous Zones). North of the property are single-family detached dwellings in the Rural Residential (RR) Zone. Northeast of the property is a single-family detached dwelling in the CGO Zone (formerly in the M-U-I Zone). East of the property is Norair Avenue, with vacant land in the CGO Zone (formerly in the M-U-I Zone) beyond. South of the property is MD 214, with various uses, including an auto repair shop, a church, and the Ridgely School historic site, located in the RR Zone and the LTO-E Zone (formerly in the Light Industrial Zone) beyond.

4. **Development Data Summary**—The following information relates to the subject PPS and the approved development.

	<b>EXISTING</b>	<b>APPROVED</b>
Zones	LTO-E/CGO/MIO	LTO-E/CGO/MIO (Reviewed per prior M-U-I, M-I-O, and D-D-O standards)
Use(s)	Vacant	Retail Commercial
Acreage	1.14	1.14
Parcels	0	1
Lots	4	0
Dwelling Units	0	0
Commercial GFA	0	6,889 sq. ft.
Variance	No	No
Variation	No	Yes (Section 24-121(a)(3))

Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on October 28, 2022. The requested variation from Section 24-121(a)(3) was accepted on October 14, 2022, alongside the PPS, and was also heard at the SDRC meeting on October 28, 2022, as required by Section 24-113(b) of the prior Subdivision Regulations.

5. **Previous Approvals**—There are no previous approvals applying to this site.
6. **Community Planning**—The 2014 *Plan Prince George’s 2035 Approved General Plan* (Plan 2035) and conformance with the master plan is evaluated, as follows:

**Plan 2035**

The subject property is located within the Established Communities growth policy area. Plan 2035 describes Established Communities as areas appropriate for context-sensitive infill and low- to medium- density development (page 20).

**Master Plan/Zoning**

The master plan recommends mixed-use commercial land uses on the subject property. The 2010 Sectional Map Amendment rezoned the property into the M-U-I and D-D-O Zones. On November 29, 2021, the Prince George’s County District Council approved CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the subject property from the M-U-I, D-D-O, and M-I-O Zones into the LTO-E, CGO, and MIO Zones, effective April 1, 2022.

Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, this application conforms to the master plan land use recommendation.

**Aviation/Military Installation Overlay Zone**

This development is subject to the regulations of the M-I-O Zone. Pursuant to Section 27-548.54(e)(2)(D), Requirements for Height, of the prior Zoning Ordinance, all proposed structures must comply with the requirements for height for properties located in Surface B (Approach-Departure Clearance Surface). Conformance with this requirement will be evaluated at the time of detailed site plan (DSP).

7. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. An approved SWM concept letter and plan (24072-2021) were submitted with this PPS. The SWM concept plan shows the use of six micro-bioretention facilities and one underground storage facility, to meet the current requirements of environmental site design, to the maximum extent practicable. No further information is required at this time regarding SWM with this PPS.

Development of the site, in conformance with the SWM concept approval and any subsequent revisions, to ensure that no on-site or downstream flooding occurs, satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the prior Subdivision Regulations, the subject subdivision is exempt from the mandatory dedication of parkland requirements because it consists of nonresidential development.
9. **Transportation**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the master plan, and the prior Subdivision Regulations to provide the appropriate transportation facilities.

**MASTER PLAN CONFORMANCE**

**Master Plan Right of Way**

The subject property has frontage on MD 214 (A-32) along the southern bounds of the site. Per the MPOT and the master plan, the portion of MD 214 that fronts the subject property is designated as a 6–8 lane arterial roadway with an ultimate ROW width of 120–150 feet. The latest PPS submission shows that the existing width of MD 214, along the property’s frontage, is 56 feet from the centerline, but also shows dedication of 1,496 square feet of ROW. The dedication is sufficient to meet the master plan’s recommended ROW for MD 214 (A-32), along the property’s frontage.

**Master Plan Pedestrian and Bike Facilities**

The master plan recommends the following facilities:

**Planned Bicycle Lane: MD 214**

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (pages 9-10):

**Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

**Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.**

**Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.**

The master plan recommended bicycle lane along MD 214 shall be provided and shown on subsequent site plan applications, subject to modification by the Maryland State Highway Administration (SHA), with written correspondence, unless otherwise not permitted by the operating agency in such written correspondence. The site's conformance to the MPOT recommended policies for on-site pedestrian and bicycle facilities will be further evaluated with future site plan applications consisting of the review of on-site development.

## **TRANSPORTATION REVIEW**

### **Variations from Section 24-121(a)(3)**

A variation request for access to the subject site via MD 214 was submitted and reviewed as part of the PPS. Section 24-121(a)(3) requires that lots proposed on land adjacent to an existing or proposed planned roadway of arterial or higher classification be designed to front on either an interior street or service roadway. The project instead includes two direct access driveways to MD 214.

Pursuant to Section 24-113 of the prior Subdivision Regulations, the below listed criteria must be met for the variation to be approved. The criteria, with staff comments, are noted below:

**(1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

The portion of MD 214 that fronts the subject site is a six-lane divided arterial roadway. The applicant is proposing to construct two access driveways along MD 214 which will provide access to all vehicles accessing the site. As part of the PPS submission, the applicant submitted an operational analysis which evaluated the feasibility and safety of direct access from MD 214. The operational analysis is discussed below in more detail, but results show that the low number of vehicles utilizing the site will not be detrimental to the public safety, health, welfare, or injurious to other properties. The Planning Board

also finds that the location of the right-in/ right-out access driveways will not impact traffic operations along this roadway.

**(2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The site is a corner property with most of its street frontage on an arterial roadway and the remaining frontage is too short for an access, a condition not applicable generally to other properties. The site fronts Norair Avenue, which is a minor street situated along the eastern boundary of the site. The applicant provided justification indicating that site access from Norair Avenue will cause undue impacts to the existing network by creating operational deficiencies and conflicts with vehicles traveling through the adjacent intersection, as well as neighboring properties. These operational deficiencies further create a unique condition for the property, which is not applicable to other properties.

**(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**

The SHA Access Management Guidelines were reviewed to determine if the access from an arterial roadway meets the state requirements. Section 1.3.1.B of the Access Management Guidelines, copied below, is relevant to the proposed variation:

**1.3.1.B. Commercial Sites - Short Frontage – Commercial sites with under 400 feet of frontage will be limited to a single point of access, unless otherwise warranted by demonstrated traffic operations or site circulation considerations.**

While the site does have less than 400 feet of frontage on MD 214, Section 1.3.1.B. allows for additional access points, if the applicant demonstrates it is needed due to traffic operations or site circulation considerations.

The applicant submitted several truck turning exhibits to demonstrate that site circulation considerations necessitate two driveway access points. The first exhibit shows how truck traffic on the site is intended to function, with trucks using the eastern driveway to enter the site and the western driveway to exit the site. The second exhibit shows that, if trucks were to be denied the western exit, they would have to either turn around using space that is not on the applicant's property, or back up around nearly the entire perimeter of the building to find space to turn around in the eastern portion of the parking lot. The third and fourth exhibits present potential alternative site layouts, which utilize only one driveway access. In each of these alternatives, the location where a truck would have to turn around creates conflicts with other Code requirements, including setbacks from adjoining residential development, required customer parking, and landscape buffering. Based on a review of the exhibits, the applicant has demonstrated that the site cannot be readily redesigned to function using a single access point, and that site circulation considerations demonstrate the need for two points of access.

The above findings notwithstanding, it is recognized that SHA is the ultimate arbiter of the exact specifications and design of access driveways to state roads. Therefore, as a condition of approval, the applicant shall provide concurrence from SHA for the final location of the access, prior to acceptance of the DSP.

No other applicable laws, ordinances, or regulations are known which would be violated with the approval of this variation, and the Planning Board's approval of a variation does not preclude final design and permitting approvals that may be required by SHA. Therefore, this criterion is met.

- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

The physical surroundings of the property are such that direct access from Norair Avenue is unfeasible, and the property is too small to support a new internal street or service road. Site access from Norair Avenue will cause undue impacts to the existing network by creating operational deficiencies and conflicts with vehicles traveling through the adjacent intersection, as well as neighboring properties. The only remaining possible access is from MD 214. Therefore, a particular hardship to the owner would result if the strict letter of the regulations were carried out and all direct access to MD 214 were denied because it would render the site undevelopable.

The applicant's statement of justification submitted with the variation request states that having two points of access will ensure safe on-site circulation and will help to separate customer vehicles and customer parking from service and delivery vehicles. This statement is supported by the truck turning exhibits submitted by the applicant. If the site were larger, the applicant could potentially provide space for a truck to turn around on-site, without encroaching on adjoining residences, customer parking, or required landscaping. However, the site is small enough that allowing trucks to have a second driveway to exit the site without turning around is the best means of ensuring acceptable on-site circulation. Therefore, because of the particular shape of the subject property, a particular hardship to the owner would result if only one driveway access to MD 214 were allowed.

- (5) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**



The site is subject to review under the prior the M-U-I (Mixed Use Infill) Zone and, therefore, this criterion is not applicable.

The Planning Board finds that the applicant has provided sufficient justification and analysis for approval of a variation for two access driveways to MD 214.

### **Operational Analysis**

An operational analysis was provided to evaluate the feasibility of the variation request for two proposed right-in/right-out access points along MD 214. As part of the operational analysis, the applicant provided a weaving analysis to ensure that vehicles exiting the site to travel east on MD 214 could make a safe lane change across three travel lanes to make a U-turn at the MD 214/Garrett Morgan Boulevard intersection. The applicant has provided a highway capacity software freeway weaving report, which indicates that the placement of the access points on-site provides a safe weaving segment, at an adequate level of service. In addition, the weaving report indicates that vehicular speeds along MD 214 will not operate at unsafe levels, in order for vehicles to successfully implement the weave by reaching the left turn lane at the MD 214/Garrett Morgan Boulevard intersection. The Planning Board concurs with the applicant's assessment and finds that the distance needed for vehicles to travel between the proposed access points and the intersection of MD 214/Garrett Morgan Boulevard would not result in any unsafe weaving.

The operational analysis also examined queueing at nearby intersections to verify if the intersections will operate at acceptable levels and will not result in excessive queueing with traffic accessing the site from MD 214. Based on the results of the operational analysis, the specific design of the site access connections along MD 214 and anticipated traffic volume does not change the operations of this roadway.

Based on the preceding findings, the vehicular, pedestrian, and bicycle transportation facilities will serve the subdivision, meet the findings required of Subtitle 24 of the Prince George's County Code, and conform to the master plan and MPOT.

10. **Public Facilities**—This PPS was reviewed for conformance to the master plan, in accordance with Section 24-121(a)(5). The master plan identifies the need for public facilities and public facility adequacy in several plan visions and policies:

- **Public facilities are planned to support, protect, and educate the current and future residents of the subregion** (page 52).
- **Plan and provide public facilities to support and be incorporated into the Developed Tier's development pattern** (page 58).
- **Ensure that public facilities are adequate to serve the local population** (page 84).

The development will not impede achievement of any of the above-referenced vision and policy statements. The master plan does not propose any police, fire and emergency medical service facilities, schools, parks, or libraries on the subject property. This PPS is further supported by an

approved Certificate of Adequacy (ADQ-2022-029), which ensures adequate public facilities to support the land use.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities; however, none of its recommendations affect the subject site.

Section 24-122.01(b)(1) of the prior Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage and compliance with the standards for the provision of public sewer and water.” The 2018 *Water and Sewer Plan* placed this property in the water and sewer Category 3, Community System. Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid PPS approved for public water and sewer.

11. **Public Utility Easement**—In accordance with Section 24-122(a), when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for public utility easements (PUEs) is 10 feet wide along both sides of all public ROW. The subject site fronts on the public ROW of MD 214 and Norair Avenue. The PPS shows PUEs along these public ROWs, as required.

12. **Historic**—The master plan includes goals and policies related to historic preservation (pages 287–296). However, these are not specific to the subject site or applicable to the development.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. A Phase I archeology study is not required.

The subject property is adjacent to Ridgely School (75A-028), a Prince George’s County historic site. The Historic Preservation Commission declined to review the PPS and determined that the proposal would not affect the historic site.

13. **Environmental**—The subject PPS was received on October 12, 2022. Environmental comments were provided at the SDRC meeting on October 28, 2022.

The following applications and associated plans for the subject site, applicable to this case, were previously reviewed:

Review Case #	Associated Tree Conservation Plan	Authority	Status	Action Date	Resolution Number
N/A	NRI-090-2021 (EL)	Staff	Approved	6/11/2021	N/A
N/A	NRI-090-2021-01	Staff	Approved	9/27/2022	N/A
N/A	S-110-2021	Staff	Approved	6/11/2021	N/A
4-22042	N/A	Planning Board	Approved	12/15/2022	2022-132

**Grandfathering**

The project is subject to the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27 of the County Code because this is a new PPS.

**Site Description**

A review of the available information indicates that no regulated environmental features (REF) are present on-site. According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources, Natural Heritage Program, and used on PGAtlas, there are no rare, threatened, or endangered species found to occur on or near this property. The site has frontage on MD 214, which is identified as a master-planned arterial roadway. The site is located within Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. According to the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George’s County Resource Conservation Plan* (Green Infrastructure Plan), this property is not within the designated network.

**MASTER PLAN CONFORMANCE**

**Master Plan**

The master plan contains environmental policies that should be addressed during the review of development within the plan area. The following policies are applicable to the subject PPS. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

**Policy 1: Protect, preserve, and enhance the green infrastructure network in Subregion 4.**

**Policy 2: Minimize the impacts of development on the green infrastructure network and SCA’s.**

The site does not contain regulated or evaluation areas, as shown in the Green Infrastructure Plan.

**Policy 3: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.**

**Policy 5: Require on-site management of stormwater through the use of environmentally sensitive stormwater management techniques (i.e., fully implement the requirements of ESD) for all development and redevelopment projects.**

This project has an approved SWM Concept Plan (24072-2021) from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), which was approved under current stormwater regulations.

**Policy 4: Improve the base information needed for the county to undertake and support stream restoration and mitigation projects.**

**Policy 6: Ensure that adequate stream buffers are maintained and enhanced and utilized design measures to protect water quality.**

There are no streams on or in the vicinity of this site.

**Policy 7: Reduce air pollution to support public health and wellness by placing a high priority on transit-oriented development and transportation demand management (TDM) projects and programs.**

Air quality is a regional issue that is currently being addressed by the Metropolitan Washington Council of Governments.

**Policy 9: Implement environmental sensitive building techniques that reduce overall energy consumption.**

Future development applications for the subject property, which require approval of architecture, should incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption. The use of green building techniques and energy conservation techniques is encouraged to be implemented, to the greatest extent possible.

**Policy 10: Implement land use policies that encourage infill and support transit-oriented design (TOD) and walkable neighborhoods.**

The site is not within a transit district overlay zone, however, it is within a D-D-O Zone intended to implement a walkable neighborhood, and is mostly within the Morgan Boulevard Metro Local Transit Center, as designated by Plan 2035. The M-U-I Zone is also intended to implement infill land uses. Conformance to the M-U-I and D-D-O standards will ensure that the related land use policies are met.

**Policy 12: Ensure that the Chesapeake Bay Critical Area is protected to the maximum extent possible through the implementation of water quality and other related measures.**

The subject property is not located in the Chesapeake Bay Critical Area.

**Policy 13: Preserve, restore, and enhance the exiting tree canopy.**

**Policy 14: Improve the county's capacity to support increases in the tree canopy.**

Conformance with the Prince George's County Tree Canopy Coverage Ordinance is required and is discussed in the Urban Design section of this resolution.

**Conformance with the Green Infrastructure Plan**

This property is not within the designated network of the Green Infrastructure Plan.

**ENVIRONMENTAL REVIEW**

**Natural Resources Inventory**

The site has an approved Natural Resources Inventory (NRI-090-2021-01), which correctly shows the existing conditions of the property. No woodlands, specimen, champion, or historic trees are located on-site. This site is not associated with any REF, such as streams, wetlands, 100-year floodplain, or associated buffers. The site is not within the primary management area (PMA).

**Woodland Conservation**

The site is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property contains less than 10,000 square feet of woodland and has no previous tree conservation plan approvals. A standard Letter of Exemption (S-110-2021) from the WCO was issued for this site, which expires on June 11, 2023. No additional information is required regarding woodland conservation.

**Specimen, Champion, or Historic Trees**

Approved NRI-090-2021-01 indicates that no specimen, champion, or historic trees have been identified on the subject property. No further information is required with this application.

**Preservation of Regulated Environmental Features/Primary Management Area**

The subject site does not contain any on-site REF or PMA.

**Soils**

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Collington-Wist-Urban land complex (0–15 percent slopes) and Udorthents, Highway. No unsafe soils containing Marlboro clay or Christiana clay have been identified on or within the immediate vicinity of this property.

**Erosion and Sediment Control**

The County requires approval of an erosion and sediment control plan. Erosion and sediment control plans are reviewed for conformance with Maryland standards and specifications for soil erosion and sediment control.

Based on the foregoing findings, the PPS conforms to the relevant environmental policies of the master plan, and the relevant environmental requirements of Subtitles 24 and 25.

14. **Urban Design**—According to the requirements of the D-D-O Zone, as expressed through the master plan, the development project will be subject to DSP review.

**Conformance with the Requirements of the Prince George’s County Zoning Ordinance**

The PPS includes one parcel for a 6,889-square-foot vehicle parts store. The subject property is part of Change LC7 found on page 451 of the Subregion 4 Sectional Map Amendment and was rezoned from the Commercial Office Zone to the M-U-I Zone. In the M-U-I Zone overlaid by the D-D-O Zone, a “vehicle parts or tire store without installation facilities” is a permitted use (page 494 of the master plan). The regulations and requirements of the Zoning Ordinance apply to the D-D-O Zone, unless the master plan development standards specify otherwise. The property is located within the Central Avenue Corridor, and the western portion of the property is also located in the Morgan Boulevard Metro Local Transit Center. However, the D-D-O Zone still controls standards for centers. Chapter 15 of the master plan provides development standards and regulations regarding landscaping, screening, fencing, lighting, building intensity, and materials.

Conformance with these development standards is required for the development and will be reviewed at the time of DSP including, but not limited to, the following design elements:

- General Site Standards and Guidelines
- Industrial Screening and Buffering Standards and Guidelines
- Building Envelope Standards and Guidelines
- Street Type Standards and Guidelines
- Architectural Standards and Guidelines
- Signage Standards and Guidelines
- Landscape Standards and Guidelines
- Parking and Loading Standards and Guidelines

**Conformance with the Tree Canopy Coverage Ordinance**

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and requires a grading permit. Properties that are zoned M-U-I are required to provide a minimum of 10 percent of the gross tract area, which equals to approximately 0.11 acre for this property, to be covered by tree canopy. Compliance with this requirement will be evaluated at the time of DSP.

**Conformance with the Requirements of the Prince George’s County Landscape Manual**

Pursuant to Section 27-124.03 of the Zoning Ordinance, the development is subject to the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). Conformance with the following requirements of the Landscape Manual will be reviewed at the time of DSP: Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. It appears that alternative compliance (AC) may be

required for Section 4.7, Buffering Incompatible Uses, adjacent to existing single-family residential development, based on the concept site design available at this time. The AC application must be accepted at the same time as the DSP, if requested.

**Additional Urban Design Concerns**

According to the SWM concept plan, the most recent design for the proposed building conforms to a 25-foot building restriction line (BRL), recorded in Plat Book BB 6 page 94. The BRL is along the MD 214 frontage. However, this BRL is void, pursuant to Section 24-107(c)(18) of the prior Subdivision Regulations, because it was recorded prior to November 1949. References to this BRL shall be removed from the PPS. It is anticipated that, at the time of DSP, the building will need to conform to the build-to line requirements of the D-D-O Zone design standards.

15. **Planning Board Hearing**—At the December 15, 2022 Planning Board hearing, opponents to the PPS discussed concerns regarding traffic, pedestrian and bicycle safety, and more desirable uses for the property. The adequacy of transportation facilities, including vehicular, pedestrian, and bicycle facilities is evaluated and approved, prior to the hearing on and separate from the consideration of a PPS. This application is supported by approved ADQ-2022-029 and the required findings for adequacy are, therefore, not part of this PPS. However, on-site pedestrian facilities and safety considerations, along with conformance with the master plan development standards, will be reviewed further at the time of DSP review. The applicant’s transportation consultant provided that the proposed use has a low trip generation and that conflicts with pedestrians and vehicles is not anticipated, however, on-site stop bars or signs for exiting vehicles, before the driveway meets the sidewalk, and other best practices can be further evaluated at the time of DSP.

An automobile parts and tire store is a permitted use and it is the applicant’s right to apply for such use. However, an automobile parts and tire store with installation services is not permitted, which is not proposed by the applicant.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

\* \* \* \* \*

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Doerner, and Shapiro voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, December 15, 2022, in Upper Marlboro, Maryland.

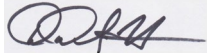
Adopted by the Prince George's County Planning Board this 5th day of January 2023.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:EDC:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: January 4, 2023